

IAP7 Rec'd PCT/PTO 18 JUL 2006

JUL 18 2006 18:11 FR PROSKAUER ROSE LLP 202 347 9481 TO 7602#39387005#15 P.01

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**PROSKAUER ROSE LLP**

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Washington DC 20004-2533  
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NEW YORK  
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CUSTOMER NO: 61263

Date July 18, 2006 Attorney Docket No. 39387-0055US

Total Pages (Including Cover) 10

From Paul M. Booth

Sender's Voice Number 202.416.5806

Sender's Email Address pbooth@proskauer.com

**Fax Transmittal**

Sender's Room Number DC

Main Fax Number 202.416.6899

To: U.S. PATENT & TRADEMARK OFFICE

Fax No.: 571-273-8300

Message

**OFFICIAL COMMUNICATION**

RE: U.S. Application No. 10/551,667  
Filing Date: September 30, 2005  
First Named Inventor: Patrick Y. Lu  
Art Unit: Unassigned  
Examiner: Unassigned

**SUBMITTED PAPERS:**

- CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8 FORM PTO/SB/97 (1 page)
- TRANSMITTAL FORM PTO/SB/21 (1 page)
- FEE TRANSMITTAL FORM PTO/SB/17 (1 page)
- NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US) (2 pages)
- EXECUTED DECLARATION AND POWER OF ATTORNEY (4 pages)

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PTO/SB/07 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on July 18, 2006  
Date



Signature

Paul M. Booth

Typed or printed name of person signing Certificate

40,244

Registration Number, if applicable

202-416-6800

Telephone Number

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**IDENTIFIED SUBMITTED PAPERS RE: APPLN NO. 10/551,667:**

- TRANSMITTAL FORM PTO/SB/21 (1 page)
- FEE TRANSMITTAL FORM PTO/SB/17 (1 page)
- NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) (2 pages)
- EXECUTED DECLARATION AND POWER OF ATTORNEY (4 pages)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**JUL 18 2006**

# TRANSMITTAL FORM

Application Serial Number	10/551,667
Filing Date	September 30, 2005
First Named Inventor	Patrick Y. Lu
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket No.	39387-0055US
Patent No.	Not applicable
Issue Date	Not applicable

## ENCLOSURES (check all that apply)

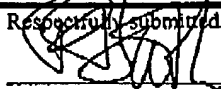
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form  <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings (Total Sheets <input type="text"/> )  <input type="checkbox"/> Petition for Extension of Time (1/2/3 months)  <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s)  <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal  <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)  <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application  <input type="checkbox"/> Small Entity Statement  <input type="checkbox"/> CD(s) for large table or computer program  <input type="checkbox"/> Amendment After Allowance	<input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)  <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
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## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
 Proskauer Rose LLP  
 1001 Pennsylvania Ave., N.W.  
 Suite 400  
 Washington, D.C. 2004  
 Tel. No.: (202) 416-6800  
 Fax No.: (202) 416-6899  
 CUSTOMER NO: 61263

## SIGNATURE BLOCK

Date: July 18, 2006  
 Reg. No.: 40,244  
 Tel. No.: (202) 416-6800  
 Fax No.: (202) 416-6899

Respectfully submitted,  
  
 Paul M. Booth  
 Attorney for the Applicant(s)  
 Proskauer Rose LLP  
 1001 Pennsylvania Ave., N.W.  
 Suite 400  
 Washington, D.C. 20004

# **FEE TRANSMITTAL** **FY 2006**

Complete if Known

Application Serial No. 10/551,667  
 Filing Date September 30, 2005  
 First Named Inventor Patrick Y. Lu  
 Group No. Unassigned  
 Examiner Name Unassigned  
 Confirmation No. 5623

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JUL 18 2006

## METHOD OF PAYMENT

☒ Payment Enclosed:  
☐ Check ☐ Money Order ☒ Other

☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 50-3840

- ☒ Required Fees (copy of this sheet enclosed).  
☒ Additional fee required under 37 CFR 1.16 and 1.17.  
☒ Overpayment Credit.

☒ Applicant claims small entity status.

## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	Filing	Search	Examination	Fee Paid
Utility	300	500	200	
Design	200	100	130	
Plant	200	300	160	
Reissue	300	500	600	
Provisional	200	0	0	

Small Entity Discount

## 1. TOTAL

## 2. EXCESS CLAIM FEES

Fee

Small Entity Fee (\$)

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent 50 25  
 Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent. 200 100

07/21/2006 MAIL ROOM PUGH 00000123 503840 10551667

01 Fee: 2617 65.00 DA

HP = highest number of total claims paid for, if greater than 20

Indep. Claims Extra Claims Fee Paid (\$)

- 3 or HP = x \$ =

HP = highest number of total claims paid for, if greater than 3

Multiple Dependent Fee(\$ Small Entity fee (\$) Fee Paid (\$)  
 Claims 360 180

## 2. TOTAL:

## 3. APPLICATION SIZE FEE

If the specification and drawing exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Additional 50 or fraction thereof	Fee (\$)	Fee Paid
-100= 0 /50=	round up to a whole number	x	=	0.00

## 3. TOTAL:

## CORRESPONDENCE ADDRESS

Direct all correspondence to:  
 Patent Administrator  
 Proskauer Rose LLP  
 1001 Pennsylvania Avenue, N.W., Suite 400  
 Washington, D.C. 20004  
 Tel. No.: (202) 416-6800  
 Fax No.: (202) 416-6899  
 CUSTOMER NO: 61263

## FEE CALCULATION (continued)

## 4. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	\$65.00
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte re-examination	
120	60	Extension for reply within 1 <sup>st</sup> mo.	
450	225	Extension for reply within 2 <sup>nd</sup> mo.	
1,020	510	Extension for reply within 3 <sup>rd</sup> mo.	
1,590	795	Extension for reply within 4 <sup>th</sup> mo.	
2,160	1,080	Extension for reply within 5 <sup>th</sup> mo.	
500	250	Notice of Appeal	
500	250	Filing a brief in support of an appeal	
1,000	500	Request for oral hearing	
400	0	Petitions to the Director	
180	180	Submission of IDS	
790	395	Filing a submission after final rejection (37 CFR 1.129(a))	
790	395	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	
130	65	Submission of Terminal Disclaimer	

Other fee (Specify)

Other fee (Specify)

4. TOTAL: \$65.00

TOTAL AMOUNT SUBMITTED

(\$65.00)

## SIGNATURE BLOCK

Respectfully submitted,



Paul M. Booth  
 Attorney for the Applicant(s)  
 Proskauer Rose LLP  
 1001 Pennsylvania Ave., N.W., #400  
 Washington, D.C. 20004

Date: July 18, 2006  
 Reg. No.: 40,244  
 Tel. No.: (202) 416-6800  
 Fax No.: (202) 416-6899

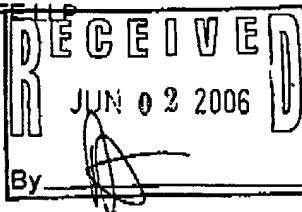


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/551,667	FIRST NAMED APPLICANT Patrick Y Lu	ATTY. DOCKET NO. 38147-0055
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26633  
HELLER EHRMAN WHITE & MCAULIFFE LLP  
1717 RHODE ISLAND AVE, NW  
WASHINGTON, DC 20036-3001



INTERNATIONAL APPLICATION NO.
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PCT/US04/10059

LA. FILING DATE	PRIORITY DATE
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04/01/2004

04/01/2003

CONFIRMATION NO. 5623

371 FORMALITIES LETTER

\*OC000000018984026\*

Date Mailed: 05/30/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/30/2005
- Copy of the International Search Report filed on 09/30/2005
- Copy of IPE Report filed on 09/30/2005
- Information Disclosure Statements filed on 09/30/2005
- Copy of references cited in ISR filed on 09/30/2005
- U.S. Basic National Fees filed on 09/30/2005
- Priority Documents filed on 09/30/2005
- Specification filed on 09/30/2005
- Claims filed on 09/30/2005
- Abstracts filed on 09/30/2005
- Drawings filed on 09/30/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**REVIEWED**

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/551,667	PCT/US04/10059	38147-0055

FORM PCT/DO/EO/905 (371 Formalities Notice)